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10/670,364

09/26/2003

Takanori Okuoka

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EXAMINER

SINGH, SATWANT K

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/670,364

Applicant(s)

OKUOKA ET AL.

Examiner

Satwant K. Singh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/1/04</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Usui (US 6,629,753).
3. Regarding Claim 1, Usui discloses a data processing system comprising: a requester apparatus for making a request for a first process, which is performed on the basis of first processing data upon predetermined processing target data (color conversion data at the request of request source) (col. 7, lines 30-43), and a second process, which is performed upon the processing target data subjected to the first process (printing of the printing data based on color conversion data) (col. 7, lines 30-43); a data supplying apparatus for supplying the first processing data (data supplied by a request source) (col. 7, lines 10-20); a first processing apparatus for executing the first process on the basis of the supplied first processing data (management unit converts the printing data based on the conversion tables) (col. 7, lines 30-43); and a second processing apparatus for executing the second process on the basis of its own characteristic upon the processing target data subjected to the first process (printing of

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the printing data based on color conversion data) (col. 7, lines 30-43), wherein: the first process includes a correction process for correcting on the processing target data, on the basis of the characteristic of the second processing apparatus (management unit converts printing data to data suitable for printing carried out on each printer) (printing of the printing data based on color conversion data) (col. 7, lines 30-43); the first processing apparatus makes a request for the first processing (color conversion data sent to management unit) (col. 10, lines 65-66); and when the first processing data is supplied to the first processing apparatus in response to the request data (order receiving station obtains from management unit color conversion data corresponding to the printer) (col. 11, lines 60-63), the first processing apparatus executes the first process on the basis of the supplied first processing data (management unit converts the printing data based on the conversion tables) (col. 7, lines 30-43).

4. Regarding Claim 2, Usui discloses a data processing system, wherein: the processing target data is first image data (printing data); the correction process corrects the first image data (color conversion data), on the basis of the characteristic of the second processing apparatus, which executes the second process (management unit converts the printing data to data suitable for printing carried out on each printer); and the first processing data is data indicating the characteristic of the second processing apparatus for executing the second process (printing characteristic information) (col. 7, lines 30-43).

5. Regarding Claim 3, Usui discloses a data processing system, wherein: the second process is a process for forming a second image (converted data); and the

second processing apparatus forms the second image on the basis of the its own characteristic (each color conversion table contains color conversion data unique to each printer) (col. 7, lines 53-67).

6. Regarding Claim 4, Usui discloses a data processing system, wherein: the first processing apparatus makes an inquiry to the requester apparatus as to whether or not to execute the first process unless the first processing data is supplied to the first processing apparatus in response to the request (request source requests to carry out printing of the printing data); and the first processing apparatus executes the first process except the correction process (test printing is carried out on the printer), when an instruction to execute the first process is given from the requester apparatus in response to the inquiry (request source may confirm or examine the result of the test printing before plural printers carry out printing of the printing data) (col. 10, lines 36-50).

7. Regarding Claim 5, Usui discloses a data processing system, further comprising: a third processing apparatus for forming a second image on the basis of its own characteristic, wherein: when the second processing apparatus forms the second image corresponding to the second image data (terminal sends the reflected color conversion data, the reflected delivery specification data and print specification data to management unit), the first processing apparatus performs the first process to generate the second image data on the basis of the first processing data corresponding to the second processing apparatus (upon receipt of these data pieces, management unit selects one or more stations, each including printer that is most suitable for carrying out printing of the print data) (col. 12, lines 7-18); and when the third processing apparatus

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forms the second image corresponding to the second image data, the first processing apparatus performs the first process to generate the second image data on the basis of second processing data, which is used to correct the first image data so as to conform a result of image formation by the second processing apparatus to a result of image formation by the third processing apparatus (request source edits the print specification and delivery specification) (col. 12, lines 42-47).

8. Regarding Claim 6, Usui discloses a data processing system, further comprising: an accounting device for accounting for use of one of the first processing data and the second processing data when the one of the first processing data and the second processing data is used in the first process (management unit calculates an estimated printing fee for the printing of the printing data) (col. 12, lines 18-30).

9. Regarding Claims 7 and 14, Usui discloses an image processing apparatus and method for performing a color correction process on the basis of: first color characteristic data indicating color characteristic with which a first image forming apparatus forms image data (color conversion tables each corresponding to each printer 21) (col. 7, lines 61-67) (***Fig. 1 shows a plurality of printers 21, therefore there are a plurality of color conversion tables, for each specific printer 21***) and second color characteristic data indicating color characteristic with which a second image forming apparatus forms the image data (color conversion tables each corresponding to each printer 21) (col. 7, lines 61-67) (***Fig. 1 shows a plurality of printers 21, therefore there are a plurality of color conversion tables, for each specific printer 21***), so as to conform a result of an image into which the second image

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forming apparatus forms the image data to a result of another image into which the first image forming apparatus forms the image data (management unit converts printing data to data suitable for printing carried out on each printer based on the color conversion data registered in color conversion tables, each corresponding to each printer) (col. 7, lines 61-67), the image processing apparatus comprising: an acquisition unit for acquiring the first color characteristic data and the second color characteristic data (Fig. 1, color conversion tables 11); a generation unit for generating third color characteristic data, which is used in the color correction process (color conversion data is corrected via the keyboard of terminal 23), from the first color characteristic data and the second color characteristic data (result of the test printing of printing data) (col. 10, lines 54-67, col. 11, lines 1-9)); an evaluation unit for evaluating quality of the third color characteristic data (request source proofs, checks colors to be printed on printer) (col. 11, lines 3-9); a calculation unit for calculating a fee for generating the third color characteristic data on the basis of the quality obtained as a result of the evaluation (management unit calculates an estimated printing fee for the printing of the printing data) (col. 12, lines 18-20); and an accounting device for accounting for the calculated fee (management unit calculates an estimated printing fee for the printing of the printing data) (col. 12, lines 18-20).

10. Regarding Claims 8 and 15, Usui discloses an image processing apparatus and method comprising: a first process unit for executing a first process upon first image data (data to be printed) on the basis of first processing data in response to a request from a requester apparatus (management unit sends printing data to plurality of

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printers), so as to obtain second image data (management unit converts the printing data to data suitable for printing carried out on each printer based on color conversion tables) (col. 7, lines 30-43); and a processing data request unit for making a request for the first processing data (printing data is carried out among the plural printers based on printer specifications and a print specification) (col. 7, lines 44-52), wherein: when the first processing data is supplied in response to the request of the processing data request unit, the first process unit executes the first process including a correction process for correcting characteristic of a second processing apparatus, which will perform a second process upon the second image data (color conversion tables each corresponding to each printer 21) (col. 7, lines 61-67) ***(Fig. 1 shows a plurality of printers 21, therefore there are a plurality of color conversion tables, for each specific printer 21).***

11. Regarding Claim 9, Usui discloses an image processing apparatus wherein: the first process unit makes an inquiry to the requester apparatus as to whether or not to execute the first process unless the first processing data is supplied in response to the request (request source requests to carry out printing of the printing data); and the first process unit executes the first process except the correction process (test printing is carried out on the printer) when an instruction to execute the first process is given from the requester apparatus in response to the inquiry (request source may confirm or examine the result of the test printing before plural printers carry out printing of the printing data (col. 10, lines 36-50).



12. Regarding Claim 10, Usui discloses an image processing apparatus, further comprising: a second processing unit for forming the second image data on the basis of second characteristic (converted data); wherein: when the second image data is formed on the basis of first characteristic (printing data carried out on each printer based on color conversion data), the first process unit performs the first process on the basis of the first processing data corresponding to the first characteristic, to generate the second image data (management unit converts printing data suitable for printing carried out on each printer based on conversion tables); when the second processing unit forms the second image data, the first process unit performs the first process on the basis of second processing data to generate the second image data (color conversion tables each corresponding to each printer 21) (col. 7, lines 61-67) **(Fig. 1 shows a plurality of printers 21, therefore there are a plurality of color conversion tables, for each specific printer 21)**; and the second processing data is used to correct the first image data as the second image data so as to conform a result of image formation with the first characteristic to a result of image formation by the second processing unit (converted printed data printed by printer) (col. 6, lines 60-67).

13. Regarding Claims 11 and 16, Usui discloses an accounting apparatus and method for accounting for use of first processing data in a first process on first image data, the accounting apparatus comprising: a reception unit for receiving a notice from image processing apparatus (data to be printed), wherein: the image processing apparatus includes: a first process unit for executing a first process on the first image data on the basis of the first processing data in response to a request from a requester

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apparatus (management unit sends printing data to a plurality of printers) (col. 7, lines 30-43); and a processing data request unit for making a request for the first processing data (management unit sends data to plurality of printers) (col. 7, lines 30-43); and the notice indicates that the first process unit has executed the first process including a correction process for correcting the second image data on the basis of first characteristic with the first processing data supplied in response to the request unit (management unit converts the printing data to data suitable for printing carried out on each printer) (col. 7, lines 30-43), the accounting apparatus further comprising: an accounting device for accounting the requester apparatus for the use of the first processing data in the first process the execution of which the notice has been given (management unit serves to function as a printing fee calculation unit) (col. 9, lines 51-58).

14. Regarding Claim 12, Usui discloses an accounting apparatus, wherein: the second image data is further formed on the basis of second characteristic (converted data); when the second image data is formed on the basis of the first characteristic (printing data carried out on each printer based on color conversion data), the first process is performed on the basis of the first processing data corresponding to the first characteristic so as to generate the second image data (management unit converts printing data suitable for printing carried out on each printer based on conversion tables); when the second data is formed on the basis of the second characteristic, the first process is performed on the basis of second processing data (test printing of the printing data) (col. 111, lines 36-50); the second processing data is used to correct the

first image data as the second image data so as to conform a result of image formation with the first characteristic to a result of image formation by the second processing unit (on the basis of the result of the test printing of printing data, color conversion is corrected) (col. 10, lines 61-67, col. 11, lines 1-9); the reception unit receives the notification of the execution of the first process, which is based on one of the first processing data and the second processing data (corrected color conversion data is sent to management unit) (col. 10, lines 61-67, col. 11, lines 1-9); and the accounting device accounts on the requester for the use of the one of the first processing data and the second processing data in the first process about the execution of which the notice has been given (estimated printing fee and the estimated length of time are notified to order receiving station) (col. 13, lines 16-26).

15. Regarding Claim 13, Usui discloses a data processing method comprising: making a request for a first process (data to be printed), which is performed on the basis of first processing data upon predetermined processing target data, and a second process (converted data), which is performed upon the processing target data subjected to the first process (management unit converts the printing data to data suitable for printing carried out on each printer based on color conversion tables) (col. 7, lines 31-43); supplying the first processing data (data to be printed); executing the first process on the basis of the supplied first processing data by a first process apparatus (management data sends printing data to a plurality of printers); and executing the second process on the basis of a predetermined characteristic upon the processing target data subjected to the first process by a second process apparatus (printing

characteristic data), wherein: the first process includes a correction process for correcting the processing target data, on the basis of the characteristic of the second processing apparatus, which executes the second process (management unit converts the printing data to data suitable for printing carried out on each printer based on color conversion tables) (col. 7, lines 31-43); the first processing apparatus makes a request for the first processing data when the first process is executed (management data sends printing data to a plurality of printers); and when the first processing data is supplied to the first processing apparatus in response to the request, the first processing apparatus executes the first process on the basis of the supplied first processing data (management data sends printing data to a plurality of printers) (col. 7, lines 31-43).

### ***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kurosawa et al. (US 6,035,059) discloses an image processing system capable of facilitating the highly accurate character recognition on the colored input images.

Vatland et al. (US 6,091,507) discloses a network protocol, transmission format, and hardware interface facilitating high speed transmission of raster data from a host computer having a raster image processor to a printer.

Vatland et al. (US 6,348,973) discloses a system of printing a document over a network including a network, a printer and a raster image processor.

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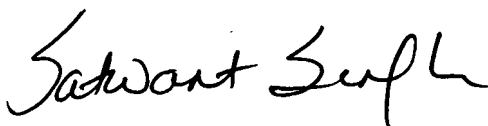
Das (us 6,950,209) discloses a host-based method for identifying an area within a color layer of a page that is not to be painted when producing a final output page.

**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571) 272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



sks

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